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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

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Arizona Corporation Commission

DOCKETED

SEP 18 2014

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IN THE MATTER OF THE APPLICATION FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY FOR THE GILA BEND TO AJO
230kV TRANSMISSION LINE PROJECT.

DOCKET NO. L-00000G-97-0089-00000

CASE NO. 89

PROCEDURAL ORDER
(Requires Publication of Notice
Including Opportunity for
Intervention)

BY THE COMMISSION:

On April 30, 1998, the Arizona Corporation Commission ("Commission") issued Decision No. 60841 in Line Siting Case No. 89, granting Ajo Improvement Company ("AIC" or "Company") a Certificate of Environmental Compatibility ("CEC") for authority to construct a 230 kV transmission line from the Gila Bend Substation on the west side of Gila Bend, Arizona, to a proposed substation that would be located near the Phelps Dodge Ajo Incorporated Mine on the southeast side of Ajo, Arizona; to construct the proposed substation; and to make necessary improvements to the Gila Bend substation ("Project").

On April 29, 2008, the Commission issued Decision No. 70326, which amended Decision No. 60841 to extend the time for construction of the Project under the CEC issued in Decision No. 60841 to July 31, 2008.

On July 30, 2008, the Commission issued Decision No. 70442, which extended the time for construction of the Project to April 30, 2009, subject to conditions.

On April 7, 2009, the Commission issued Decision No. 70957, which extended the time for construction of the Project to April 30, 2014, subject to conditions.

On September 23, 2013, the Commission issued Decision No. 74086, which amended Decision No. 70957 to extend the time for construction of the Project to April 30, 2024.

1 On June 27, 2014, AIC filed a letter stating that it intends to construct the Project with steel
2 monopoles, and that the CEC issued in Decision No. 60841 approved the Project using primarily
3 wooden structures. AIC states that it does not believe the change from wood to steel poles is a
4 material change requiring modification to the CEC, and requests such a determination. Alternatively,
5 AIC requests that if the Commission believes the change from wood to steel poles constitutes a
6 material change requiring modification to the CEC, that the Commission approve the change
7 pursuant to A.R.S. § 40-252.

8 On August 12, 2014, the Commission voted to reopen Decision No. 60841 pursuant to A.R.S.
9 § 40-252, and directed the Commission's Hearing Division to hold a procedural conference to discuss
10 procedural issues.

11 On September 4, 2014, a Procedural Order was issued setting a procedural conference for
12 September 17, 2014.

13 On September 12, 2014, AIC docketed a Notice of Filing to which was attached its proposed
14 form of notice for publication in local newspapers in Gila Bend and Ajo, Arizona.

15 On September 16, 2014, a Procedural Order was issued indicating that the September 17,
16 2014, procedural conference would be conducted telephonically.

17 On September 17, 2014, a procedural conference convened telephonically as scheduled. AIC
18 and Staff appeared through counsel. Procedural issues regarding AIC's June 27, 2014, request were
19 discussed, including notice requirements and an intervention deadline. The parties were informed
20 that a Procedural Order would be issued setting a procedural schedule, including publication of notice
21 by September 26, 2014.

22 IT IS THEREFORE ORDERED that Ajo Improvement Company shall provide public notice
23 of the proposed change to its CEC in the following manner, with the header in no less than 22 point
24 type and the body in no less than 10 point type:

25 ...

26 ...

27 ...

28 ...

**PUBLIC NOTICE OF AJO IMPROVEMENT COMPANY'S PROPOSED CHANGE
TO ITS CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY TO USE STEEL
MONOPOLES**

DOCKET NO. L-00000G-97-0089-00000

Summary

On April 30, 1998, the Arizona Corporation Commission ("Commission") issued Decision No. 60841 granting Ajo Improvement Company ("AIC" or "Company") a Certificate of Environmental Compatibility ("CEC") for authority to construct an approximate 47-mile 230 kV transmission line from Gila Bend to Ajo, Arizona ("Project"). The CEC approved the Project with the use of primarily wooden structures. On June 27, 2014, AIC made a filing with the Commission stating that it intends to construct the entire Project with steel monopoles instead, in order to provide greater reliability than wooden structures. AIC does not believe the change from wood to steel is a material change requiring a modification to the CEC, and requested that the Commission make that determination. To the extent, however, the Commission believes that this is a material change to the CEC, the Company has requested approval of the change under A.R.S. § 40-252. AIC does not intend to change the heights of the structures from what was originally proposed. AIC does not contemplate any other changes or increased environmental impact. A copy of AIC's June 27, 2014, request can be found at <http://images.edocket.azcc.gov/docketpdf/0000154357.pdf>. The proposed change to the CEC does not guarantee that the project will be constructed, or that any mining operations in and near Ajo, Arizona, will commence.

The Commission's Utilities Division ("Staff") is in the process of analyzing the Company's request and will file a Staff Report containing its analysis and recommendations for any Commission action. The Commission is not bound by the Company's request or Staff's recommendation.

About Intervention and Public Comment

You have the opportunity to request intervention in the proceeding. If you wish to intervene you must file, no later than **October 24, 2014**, an original and 13 copies of a written motion to intervene with the Commission and send a copy of the motion to the Company or its counsel and to all parties of record. The motion must, at a minimum, contain the following: (1) your name, address, and telephone number, and the name, address, and telephone number of the proposed intervenor and any person upon whom service of documents is to be made, if different from the intervenor; (2) a short statement of your interest in the proceeding; and (3) a statement certifying that you have mailed a copy of the motion to intervene to the Company or its counsel and to all parties of record in the case.

The granting of intervention, among other things, entitles a party to request a hearing. If a hearing is ordered, an intervenor is permitted to present sworn evidence at hearing and to cross-examine other witnesses. Failure to intervene, however, will not preclude any interested person or entity from providing public comment.

Written public comments may be submitted by mailing a letter referencing Docket No. L-00000G-97-0089-00000 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by submitting comments on the Commission's website (www.azcc.gov) using the "Submit a Public Comment for a Utility" button. If you require assistance, you may contact the Consumer Services Section at 602-542-4251 or 1-800-222-7000.

Commission Consideration of the Request

It is anticipated that the Commission will consider this matter at a future Open Meeting. Oral public comment regarding the application will be taken at that time. A copy of the Proposed Order for Commission consideration will be mailed to intervenors, and will also be publicly available on the Commission's website (www.azcc.gov) at least 10 days prior to that Open Meeting.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request reasonable accommodations such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin A. Bernal, E-mail SABernal@azcc.gov, voice telephone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that AIC shall, by **September 26, 2014**, cause the above notice to be **published** in local newspapers in Gila Bend and Ajo, Arizona.

IT IS FURTHER ORDERED that AIC shall, by **October 10, 2014**, **file certification of publication** of the above notice.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and publication, notwithstanding the failure of an individual to read or receive the notice.

IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **October 24, 2014**.

IT IS FURTHER ORDERED that any **objections to intervention** shall be filed on or before **October 31, 2014**.

IT IS FURTHER ORDERED that **Staff shall file a Staff Report** containing its analysis and recommendations for any Commission action on the request, **on before October 17, 2014**.

IT IS FURTHER ORDERED that AIC shall **file any objections to the Staff Report** on or before **October 31, 2014**.

IT IS FURTHER ORDERED that in the event additional parties are granted intervention, a procedural conference will be convened for the purpose of discussing procedural matters.

IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 18th day of September, 2014.


TEENA JIBILIAN
ADMINISTRATIVE LAW JUDGE

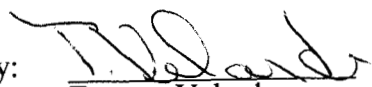
1 Copies of the foregoing mailed
this 28 day of September, 2014, to:

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